

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 22-mj-7007-JCB

UNITED STATES OF AMERICA

v.

MARSHALL NICHOLAS FAIN

ORDER OF VOLUNTARY DETENTION

February 8, 2022

Boal, M.J.

The defendant, Marshall Nicholas Fain, is charged in a complaint with transmitting a threat in interstate commerce in violation of 18 U.S.C. § 875(c) and cyberstalking in violation of 18 U.S.C. § 2261A(2). An initial appearance was held on February 2, 2022, at which time the government moved for detention. On February 8, 2022, the defendant, represented by counsel, elected to voluntarily consent to detention without prejudice.

Accordingly, it is ORDERED that the defendant be DETAINED pending trial, and is further ORDERED that:

(1) the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) the defendant be afforded reasonable opportunity for private consultation with counsel; and

(3) on order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is detained

and confined deliver the defendant to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

This order is without prejudice to the defendant filing a motion to consider the issue of pre-trial detention, regardless of whether there have been changed circumstances. The defendant may seek review of this order by filing a motion for revocation or amendment pursuant to 18 U.S.C. § 3145(b).

/s/ Jennifer C. Boal
JENNIFER C. BOAL
United States Magistrate Judge